



Order Filed on August 20, 2019
by Clerk
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
Caption in Compliance with D.N.J. LBR 9004-1(b)
STERN, LAVINTHAL & FRANKENBERG, LLC
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Roseland, NJ 07068
Phone: (973) 797-1100
Fax: (973) 228-2679
Attorney for Secured Creditor,
Carrington Mortgage Services LLC as servicing agent
for Wells Fargo Bank, N.A., as Trustee for Carrington
Mortgage Loan Trust, Series 2006-FRE1 Asset-Backed
Pass-Through Certificates
By Maria Cozzini, Esq.

In Re:

Charles A. Schaffer, III aka Charles Schaffer
aka Charles Schaffer, III

Debtor(s).

Case No.: 17-33684-MBK

Chapter: 13

Hearing Date: May 22, 2019

Judge: Michael B. Kaplan

**ORDER RESOLVING CREDITOR'S CERTIFICATION OF DEFAULT
WITH CONDITIONS**

The relief set forth on the following pages, numbered two (2) through four (4) is **ORDERED**

DATED: August 20, 2019

A handwritten signature in black ink, reading "Michael B. Kaplan", is written over a horizontal line.
Honorable Michael B. Kaplan
United States Bankruptcy Judge

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Debtor: Michael B. Kaplan

Case No: 17-33684-MBK

Caption: Order Resolving Creditor's Certification of Default

Applicant:	<u>Carrington Mortgage Services, LLC</u>
Applicant's Counsel:	<u>Stern Lavinthal & Frankenberg, LLC</u>
Debtor's Counsel:	<u>Ronald E. Norman, Esq.</u>
Property Involved ("Collateral"):	<u>2 Pine Rd, Medford, NJ 08055-8159</u>

Relief sought:

- ✓ Motion for relief from the automatic stay
- Motion to dismiss
- Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

- The Debtor is overdue for 7 months, from January 1, 2019 to July 1, 2019.
- The Debtor is overdue for 1 payment at \$3,030.33 per month.
- The Debtor is overdue for 6 payments at \$3,021.23 per month.
- Less Funds held in debtor(s) suspense \$2,415.06

Total Arrearages Due \$18,742.65

2. Debtor must cure all post-petition arrearages, as follows:

- Beginning on August 1, 2019, regular monthly mortgage payments shall continue to be made in the amount \$3,021.23.
- Beginning on August 1, 2019, additional monthly cure payments shall be made in the amount of \$3,123.78 for 6 months.

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Debtor: Michael B. Kaplan

Case No: 17-33684-MBK

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3. Payments to the Secured Creditor shall be made to the following address(es):

✓ Regular monthly payment: Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806

✓ Monthly cure payment: Carrington Mortgage Services, LLC
P.O. Box 3730
Anaheim, CA 92806

4. In the event of Default:

✓ If the Debtors fail to make the immediate payment specified above or fail to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtors' failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtors, and the Debtors' attorney.

If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

✓ The Applicant is awarded attorneys fees of \$350.00, and costs of \$181.00.

The fees and costs are payable:

✓ through the Chapter 13 plan.

to the Secured Creditor within _____ days.

Attorneys' fees are not awarded.

Certificate of Notice Page 4 of 4
United States Bankruptcy Court
District of New Jersey

In re:
Charles A. Schaffer, III
Debtor

Case No. 17-33684-MBK
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Aug 20, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Aug 22, 2019.

db Charles A. Schaffer, III, 2 Pine Rd, Medford, NJ 08055-8159

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Aug 22, 2019

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on August 20, 2019 at the address(es) listed below:

Albert Russo on behalf of Trustee Albert Russo docs@russotrustee.com
Albert Russo docs@russotrustee.com
Denise E. Carlson on behalf of Creditor VW Credit Leasing, Ltd dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Jeanette F. Frankenberg on behalf of Creditor Wells Fargo Bank, N.A., as Trustee for
Carrington Mortgage Loan Trust, Series 2006-FRE1 Asset-Backed Pass-Through Certificates
cmecf@sternlav.com
Jeanette F. Frankenberg on behalf of Creditor Carrington Mortgage Services LLC as servicing
agent for Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series
2006-FRE1 Asset-Backed Pass-Through Certificates cmecf@sternlav.com
Jeanette F. Frankenberg on behalf of Creditor Carrington Mortgage Services, LLC as servicing
agent for Bank of America, N.A. cmecf@sternlav.com
Maria Cozzini on behalf of Creditor Carrington Mortgage Services LLC as servicing agent for
Wells Fargo Bank, N.A., as Trustee for Carrington Mortgage Loan Trust, Series 2006-FRE1
Asset-Backed Pass-Through Certificates mcozzini@sternlav.com
Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com
Ronald E. Norman on behalf of Debtor Charles A. Schaffer, III ronaldenorman@comcast.net,
dgordon@rnormanlaw.com;gl4985@notify.cincompass.com;ronaldenorman@icloud.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 10